

SO ORDERED



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Greenbelt**

In re:

Nahid Ahmadpour,

Debtor.

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Case No. 18-11248-WIL

Chapter 7

ORDER OVERRULING OBJECTION TO CLAIM NO. 1

Before the Court is the Debtor's Objection to The Duff Law Firm's Proof of Claim #1 (the "Objection"). The Court has reviewed the pleadings and finds that a hearing would not aid the decisional process. For the following reasons, the Objection is **OVERRULED**.

A proof of claim is prima facie evidence of the validity and amount of the claim. *See* Fed. R. Bankr. P. 3001(f). "A properly executed and filed proof of claim 'is sufficient to shift the burden of producing evidence and to entitle the claimant to share in the distribution of the bankrupt's estate unless an objector comes forward with evidence contradicting the claim.'" *In re USGen New*

England, Inc., 429 B.R. 437, 473 (Bankr. D. Md. 2010) (quoting *In re Gates*, 214 B.R. 467, 472 (Bankr. D. Md. 1997)). The objecting party bears the burden of producing evidence, which if uncontroverted, would defeat the claim asserted. *Id.* A proof of claim is some evidence and will suffice to overcome a mere formal objection without more. *Carter Enterprises, Inc. v. Ashland Specialty Co., Inc.*, 257 B.R. 797, 800 (S.D.W.Va. 2001).

Here, The Duff Law Firm (the “Claimant”) filed a proof of claim asserting a total claim of \$17,953.59 (“Claim No. 1”) based on a judgment obtained in favor of Claimant and against the Debtor for legal services performed. An “Abstract of Judgment” and an “Itemized Statement in Support of Proof of Claim” are attached to Claim No. 1 as evidence of the amount owed. While the Debtor argues that the underlying claim has not been fully litigated, the attached “Abstract of Judgment” indicates that Claimant did in fact obtain a judgment against the Debtor on September 26, 2012. The Objection provides no evidence to substantiate Debtor’s claims or to otherwise overcome the prima facie validity of Claim No. 1.

For these reasons, it is, by the United States Bankruptcy Court for the District of Maryland,
ORDERED, that the Objection is OVERRULED.

cc: Debtor
Debtor’s Counsel
Claimant
Chapter 7 Trustee

End of Order